

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**PLANTRONICS, INC.,**

**Plaintiff**

**v.**

**ALIPH, INC. and  
ALIPHCOM, INC.,**

**Defendants.**

**6:09-cv-24-LED**

**UNOPPOSED NOTICE OF FISH & RICHARDSON P.C.'S WITHDRAWAL AS  
COUNSEL FOR PLAINTIFF PLANTRONICS, INC.**

TAKE NOTICE that:

1. Whereas Defendants Aliph, Inc. and AliphCom, Inc. (collectively referred to as “Aliph”) filed their motion to disqualify Fish & Richardson P.C. (“F&R”) as counsel for Plaintiff Plantronics, Inc. (“Plantronics”) on February 13, 2009, Dkt No. 17 (the “Motion”) in the above-styled matter;
2. Whereas neither F&R nor Plantronics agrees with Aliph’s allegations that an irreconcilable conflict exists or that F&R’s withdrawal as counsel for Plantronics is required by existing law in this case, but have reached an agreement with Aliph that F&R will discontinue its representation of Plantronics;
3. Whereas Plantronics is not opposed to F&R’s withdrawal as its counsel in this case, and F&R’s withdrawal “can be accomplished without material adverse effect on the interests of [Plantronics]” as required by Rule 1.15(b)(1) of the Texas Disciplinary Rules of Professional Conduct;

4. Whereas Aliph is not opposed to the F&R's withdrawal as counsel for Plantronics;

WHEREFORE, F&R hereby files its Notice of F&R's Withdrawal as Counsel for Plantronics in the above-styled matter, effective as of the date of this filing. Although F&R is withdrawing as Plantronics' primary counsel, F&R will still act as local counsel to Plantronics to assist Plantronics' new primary counsel, currently believed to be Irell & Manella LLP, with its *pro hac vice* admission into the Eastern District of Texas.

Dated: March 12, 2009

Respectfully submitted,

FISH & RICHARDSON P.C.

By: /s/ Jordan T. Fowles  
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Counsel for Plaintiff  
PLANTRONICS, INC.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on March 12, 2009 to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Jordan T. Fowles

Jordan T. Fowles

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